

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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W.J. DEUTSCH & SONS LTD.,

Petitioner

-v-

No. 21-CV-11003-LTS

DIEGO ZAMORA, S.A., et al.,

Respondents.

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ORDER

Before the Court is Respondents' letter motion (docket entry no. 55) requesting that the Court disregard certain portions of Petitioner's recent filings as an impermissible sur-reply. Petitioner opposes this request. (Docket entry no. 56.) Because the Court concludes that Petitioner's Reply on the cross-motion for service (docket entry no. 53) and Petitioner's Declaration of Ignacio Temio Cenicerros (docket entry no. 54) go beyond the permissible scope of the cross-motion, the Court strikes both of these docket entries. Petitioner shall have until July 25, 2022, at noon to file replacement reply papers, which shall solely address issues related to the cross-motion for service, and which shall not include any new issues not already raised in prior papers. See Anghel v. Sebelius, 912 F. Supp. 2d 4, 14 (E.D.N.Y. 2012) ("It is well settled in the Second Circuit that a party may not raise an argument for the first time in his reply brief.") (citation omitted).

Docket entry no. 55 is resolved.

SO ORDERED.

Dated: New York, New York
July 21, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge